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TO: EXAMINER Elizabeth E. Mulvaney  
EXAMINER'S TELEPHONE NUMBER 571-272-1527  
ART UNIT 1774  
SERIAL NO. 10/042,660

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Enclosed: R111 Response + Cover

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Edward W. Goodman

APR 17 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

BERNARDUS H.W. HENDRIKS

PHNL 010067

Serial No.: 10/042,660

Group Art Unit: 1774

Filed: January 9, 2002

Examiner: E.E. Mulvaney

Title: OPTICAL INFORMATION MEDIUM AND A METHOD OF  
MANUFACTURING THE MEDIUMCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an amendment in the above-identified application.


[ X ] No additional fee is required.

[ ] The fee has been calculated as shown below.

| CLAIMS AS AMENDED   |   |   |                 |      |                   |
|---|---|---|-----------------|------|-------------------|
|   | Claims<br>remaining<br>after<br>amendment | Highest<br>number<br>previously<br>paid for | Number<br>extra | Rate | Additional<br>Fee |
| Total Claims  | 13 Minus                                  | 20 <sup>1</sup> =                           | X \$50 =        |      | \$                |
| Independent<br>Claims   | 2 Minus                                   | 3 <sup>2</sup> =                            | X \$200 =       |      | \$                |
| Multiple Dependent Claims, if any. If not previously paid, \$360. |   |   |                 |      | \$                |
| Total Additional fee for this amendment                           |   |   |                 |      | = \$              |

<sup>1</sup>If less than 20, enter 20. <sup>2</sup>If less than 3, enter 3.

Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

  
Edward W. Goodman, Reg. 28,613  
914-333-9611

APR 17 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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BERNARDUS H.W. HENDRIKS

PHNL 010067

SERIAL NO.: 10/042,660

GROUP ART UNIT: 1774

FILED: January 9, 2002

EXAMINER: E.E. Mulvaney

OPTICAL INFORMATION MEDIUM AND A METHOD OF MANUFACTURING THE MEDIUM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER 37 C.F.R. 1.111

This is in response to the Office Action mailed February 9, 2006, in which the Examiner has rejected claim 1 under 35 U.S.C. 112, paragraph 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, in that the term " $n_k$ " is undefined.

Applicant acknowledges that the Examiner has allowed claims 8-13 and has found claims 2-7 allowable over the prior art of record.

The term " $n_i$ " is defined in claim 1 in the statement "each radiation beam transmissive layer (4, 5, 6, 7, 11, 12, 13) having a refractive index  $n_i$  and an average thickness  $d_i$   $\mu\text{m}$  and  $1 \leq i \leq k$  and  $k \geq 2$ ". Hence,  $n_i$  is the refractive index of transmissive layer  $i$ . Since, according to the above statement,  $i$  may range from 1 to

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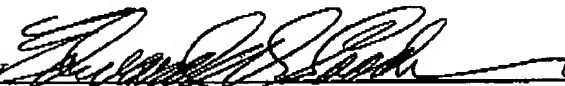
k, then Applicant submits that it should be apparent that " $n_k$ " is the refractive index of transmissive layer k.

Applicant therefore believes that no further explanation is needed in claim 1 for the term " $n_k$ ".

Applicant believes that the above explanation answers the Examiner's 35 U.S.C. 112, paragraph 2, rejection of claim 1, and respectfully requests withdrawal thereof.

Applicant believes that this application, containing claims 1-13, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by   
Edward W. Goodman, Reg. 28,613  
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